

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No. 851 of 2024 (O&M)

Date of Decision: 16.04.2024

Kulwinder Kaur and others

.....Appellants

versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE VIKAS SURI, JUDGE

Present : None for the appellants.

Mr. Salil Sabhlok, Sr. Deputy Advocate General, Punjab.

G.S.SANDHAWALIA, ACTING CHIEF JUSTICE (oral)

Case has been called twice but none appeared on behalf of the appellants.

2. The present appeal is directed against an interim order dated 05.03.2024 passed by the learned Single Judge in Civil Writ Petition No. 19252 of 2020 filed by the appellants-petitioners whereby the learned Single Judge had clarified the earlier order dated 17.11.2020 to the extent that there would be no stay on the release of salary of the promoted posts.

3. The present appeal has been filed by the writ petitioners who had challenged the promotion as such of the private respondents. At the initial stage while issuing notice of motion on 17.11.2020, the learned Single Judge had directed that no such benefit would be given to the private respondents qua their service which was dependent upon seniority in the cadre of Senior Assistant. The said order has now been modified vide by the learned Single

Judge vide order dated 05.03.2024. In such circumstances, we are of the considered opinion that apparently the private respondents are working on the promoted posts and therefore denial of financial benefits as such would have been unjust and therefore, the learned Single Judge had rightly modified the said order.

4. Even otherwise, the present appeal is not maintainable against an interim order in view of the decision rendered by the Supreme Court in *Midnapore People’s Cooperative Bank vs. Chuni Lal and others 2006(5) SCC 399*. Accordingly, the present appeal is dismissed. Pending applications, if any, also stand dismissed.

(G.S.SANDHAWALIA)
ACTING CHIEF JUSTICE

(VIKAS SURI)
JUDGE

16.04.2024

ravinder

Whether speaking/reasoned	√Yes/No
Whether reputable	√Yes/No